

# FARMINGTON CITY COUNCIL MEETING

Wednesday, September 7, 2005

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## CITY COUNCIL WORK SESSION/MULTI-PURPOSE ROOM (STATION PARK DEVELOPMENT)

**PRESENT:** Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, and Recording Secretary Jill Hedberg.

**Mayor Connors** began discussion at 5:00 P.M.

**Chris Roybal** of the Governor's Office said Governor Huntsman saw Station Park as a business center development opportunity that had the potential to be significant in Farmington. Mr. Roybal said he hoped the City would not lose focus of the development's potential for greatness. He was interested in the job opportunities that Station Park would bring since it was the only development of its kind north of Salt Lake County. The partnership with the RDA would be important, as it was to other premier developments in the State. Time is of the essence since there have already been job opportunities missed. The governor's office was anxiously awaiting the completion of the development.

**Bob Springmeyer** of Bonneville Research said he conducted the market study for Station Park. He studied the entire 450 acre area. He said Station Park would be a "world class" development. He presented the following research findings for the 10 minute and 20 minute drive time areas:

### **Ten Minute Market Area (drive times):**

Population by 2010:	96,030
Individual Increase:	10,858
Household Increase:	3,316
Average Household Income:	\$110,000

### **20 Minute Market Area (drive times):**

Population by 2010:	427,000
Individual Increase:	43,858
Household Increase:	14,632
Average Household Income:	\$85,000

### **Regional Office Demand**

- 43.3% of Davis County residents travel for work
- 125,812 individuals travel alone in a car
- The area can support up to 500,000 new square feet of Class A business over next 10 years

**Conclusion**

Property taxes:	\$27 million of new taxes generated
Sales taxes:	\$9 million in incremental sales
Employment :	2,500 new jobs

**5 Musts**

1. Put out the Welcome Mat
2. Make administrative process and approval easy.
3. Be competitive on fees and costs
4. Provide public infrastructure
5. Help the “Bell Cows” get here to establish the reputation of the Park.

**Doug Thimm** of MHTN said at the last City Council meeting regarding Station Park, it was said that, “Station Park must be a world class development”. He said the Station Park team was made up of Stonehenge, Layton Construction, Coldwell Banker, MHTN, CLC Engineers, A-Trans and Frontier Corp. The team is only complete when Farmington City is included. He referred to the Ten Principles for Successful Development Around Transit.

**Mr. Thimm** said the Master Plan was developed and included the following areas:

Core Area (Phase 1)  
Secondary, TOD Area (Phase 2)  
Tertiary Area (Business Park)  
Residential Area (PUD)

He said it was essential that a Master Plan be developed to insure appropriate development. He said it was important to provide ways for people to enter the park. The municipal arteries would be a key place for entrances.

He said the Station Park team has worked closely with UTA regarding the train station. They are familiar with the busing system and how the buses will best circulate in the development. There are 1,000 parking stalls set up for the train station. One of the key items of the TOD is the idea of shared parking.

**Gary Mangum** of Coldwell Banker Commercial said the real estate industry played an important role in bringing tenants to developments. It is the job of the real estate agent to show the tenant that the site is appropriate for them. It is important for the tenant to understand how the City approval process works. He asked for a hand-in-hand relationship with the City to put out the welcome mat to future tenants. He said Cinemark would be a “bell cow” that other tenants would follow.

**Brandon Fugal** of Coldwell Banker Commercial said he specializes in Class A office parks. Station Park will be the only project that offers the TOD component that is so vital to companies across the Country. He is targeting true growth companies for Station Park, as well as companies that are interested in relocating from out of State. He said he is committed to Station Park and to marketing it in a first class fashion.

**Don Harton** of Cinemark gave a brief overview of the Cinemark Company. They have a 16 screen theater planned for Station Park. The timing for entering the market would be crucial. They would like to open in the Spring of 2007. Farmington City will play an important role in their presentation since the theater will face City streets.

**John Alley** of Layton Construction referred to the Station Park site plan. He commented on the construction schedule and said there was an urgency since Cinemark would like to open in the Spring of 2007. They would need to begin the design process and surcharging this Fall. The critical path schedule would create hold ups if items were delayed in the beginning. They hope to work with the City to be competitive in the market plan. Studies have indicated that Farmington is not in the market place for competitive attraction due to transportation fees, building permit fees, etc. The Station Park team was experienced and could partnership with the City to do the preliminary agreements.

**Mayor Connors** assured the Cinemark representative that the City was committed to the project. He wants the development to be successful and to be a signature project that the City could be proud of.

**Loyal Hulme** made the following presentation:

*Our Request*

1. Amend the General Plan to include the expanded TMU area.
2. Amend the TOD zoning ordinance to integrate policy and planning issues.
3. Approve the Master Development Guidelines.
4. Approve the Common Area Management Plan and related SARC (Site Architectural Review Committee). Dillard's and P.F. Chang's were being considered as tenants.
5. Approve policy for contracting of services with the SARC.
6. Approve policy for the Agreement to Develop Land (ADL).

*Developer Contributions*

1. Purchase land necessary to establish the RDA.
2. Donate land for Public ROW's (right of ways). Over 8 acres will be donated.
3. Provide Architectural and Engineering for interface with UTA's commuter station with the development.
4. Construct and finance all public improvements and required infrastructure for the City.

5. Establish and operate the SARC as required under the TOD Zone.
6. Work with UTA in a Land Exchange Agreement that will allow the necessary parking and access to the Station.
7. Provide Engineering and entitlements for the extension of Station Parkway road to 1525 West.

*City's Part:*

1. Provide available Grant funding to the Project Area.
2. Allocate the first available tax increment and fees "net of administrative costs" to the Project/Developer for reimbursement of Public Costs, with the following Priority:
  - a. First: To the roads and public infrastructure providing access to the commuter rail station and the development with the RDA;
  - b. Second: To the improvements relating to housing within the RDA.
  - c. Third: To the extension of Station Parkway to 1525 West.
  - d. Fourth: To additional City projects as allowed to be funded under the RDA plan through available Tax Increment.
3. Take the lead to provide the tools necessary to extend the parkway to the north.
4. Commit to a Time-Line and Policy for each of our requests.

He concluded by saying that the Station Park team was prepared to construct the best development of its kind. He said the City Council needs to establish policies and to instruct the City Staff to finalize the actions.

**Mayor Connors** said the City would not slow down the process. The City Council plans to meet September 14, 2005, to give specific instruction to City Staff. The City expects Station Park to be a world class development and a great benefit to the City.

The meeting adjourned at 6:10 P.M.

**REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER**

**PRESENT:** Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg.

**Mayor Pro Tem Susan Holmes** called the meeting to order at 7:00 P.M. **Larry Haugen** offered the invocation. The Pledge of Allegiance was led by **Margy Lomax**.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**Sid Young** moved to approve the minutes of the August 16, 2005, Special City Council Meeting. **David Hale** seconded the motion. The voting was unanimous in the affirmative.

**David Hale** moved to approve the minutes of the August 17, 2005, City Council Meeting. **Rick Dutson** seconded the motion. The voting was unanimous in the affirmative.

**Larry Haugen** moved to approve the minutes of the August 24, 2005, Special City Council Meeting. **David Hale** seconded the motion with changes as noted. The voting was unanimous in the affirmative.

**David Hale** moved to approve the minutes of the August 29, 2005, Special City Council Meeting. **Larry Haugen** seconded the motion. The voting was unanimous in the affirmative.

### **REPORT OF PLANNING COMMISSION (Agenda Item #3)**

**David Petersen** reported proceedings of the Planning Commission meeting held August 25, 2005. He covered the following items:

- The Planning Commission recommended final plat approval for the Miller Meadows Subdivision, Phase II.
- The Planning Commission tabled consideration of Jerry Preston's application for preliminary plat approval for Phase I of the Rice Farms Estates PUD until a wetlands delineation report and soil report was submitted.
- The Planning Commission tabled consideration of Greg Bell's request for preliminary plat approval for the Park Lane Subdivision to allow for notices to be sent to each affected entity as defined by State Law.
- The Planning Commission tabled consideration of Guy Haskell's property rezone request until the applicant could submit an improved schematic plan.
- The Planning Commission tabled consideration of the Davis County application for conditional use and site plan approval to install RV hook-up facilities until the parking spaces could be redrawn.
- The Planning Commission accepted the site plan for Mark Davidson's office building at 314 South 200 West.
- The Planning Commission granted conditional use and site plan approval to establish a ground sign at 57 North Main contingent upon the applicant holding the City harmless if UDOT changed their position related to the sign.
- The Planning Commission granted conditional use and site plan approval to relocate and increase the height of the Arby's sign located on the northwest corner of Shepard Lane and U.S. 89
- The Planning Commission recommended that the City Council amend Chapter 32 of the Zoning Ordinance regarding driveway access standards.

[Mayor Connors arrived at 7:15 P.M.]

**PUBLIC HEARING: CONSIDERATION OF ORDINANCE ADOPTING THE NEIGHBORHOOD MIXED USE (NMU) TEXT AS A CHAPTER TO THE FARMINGTON CITY ZONING ORDINANCE (Agenda Item #4)**

**David Petersen** said a hearing was held on July 20, 2005. A Steering Committee was formed which was made up of two City Council members, two Planning Commissioners, Todd Godfrey of the City Attorney's office, Jim Carter of Bear West, and City Staff. Mr. Petersen presented the Steering Committee with a summary of the issues to be considered. The Committee then considered the issues with the text to create a recommendation. He displayed slides which outlined the following changes to the text:

**PLANNED CENTER DEVELOPMENT PROCESS**

- General Mix of Uses
- All Developments
- Planned Center Development

OR

**PUD Chapter 27**

- Conditional Use Permit Process (permitted Uses was stricken)
- For Projects with Multiple Phases Each Phase Must Meet All Standards

**NORTH MAIN STREET RESTRICTION**

**COMMUNITY AND ECONOMIC IMPACT ANALYSIS**

- Fiscal Impact - City can request a circumstance warrant.

**MAXIMUM SINGLE BUILDING SIZE FOR NON-RESIDENTIAL BUILDINGS NOT ADJACENT TO ARTERIALS OR INTERCHANGES**

- 7,500 sf
- Single story

**MAXIMUM SINGLE BUILDING SIZE FOR NON-RESIDENTIAL BUILDINGS ADJACENT TO ARTERIALS OR INTERCHANGES**

- 10,000 sf for all buildings
- 2 stories for all buildings
- 65,000 sf exception for a single building/30 acres

**MAXIMUM AGGREGATE RETAIL SPACE**

- 175,000 sf
- Definition of Retail Commercial Uses

**ROOFS**

- Pitched Roof Encouraged
- Screening of Mechanical Equipment

#### PLANT MATERIAL SECTION - ELIMINATED

It is normally addressed through the Site Plan when a developer provides a landscape plan.

#### 9 PAGES OF DESIGN AND OTHER STANDARDS TO REMAIN

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing as a continuation to the hearing held six weeks prior.

**John Montgomery** (539 South 350 East) said the text being considered was a significant improvement from the text the Planning Commission submitted. He said the regional aspect and tenants were not a benefit to the City and that the City should not accept the risks the developer was proposing. He asked that the City Council consider that Smith's could lose 50% margin of revenue in the first year the development was open. He said the City should not consider the proposed development since Station Park would bring a tax base to the City.

**Dorene Poulsen** (1732 North Main) reviewed the text alterations that had occurred during the year process. She contacted Farah Williams, the legal assistant for UDOT, who said a permit had not been filed by the developer for a breach of the access line. She was concerned that North Main would bear the brunt of the construction traffic.

**Matt Poulsen** (1732 North Main) said he felt the text was "tailor made" for the Village at Old Farm. He said the current text was far from the intent of the original NMU. Too much commercial space was being compacted into an area that was already difficult to travel. He was concerned with the safety of the Knowlton Elementary children. He did not think Utah's climate was appropriate for an outdoor retail center.

**David Mulholland** (434 Welling Way) said the NMU zone was similar to the CMU zone since the text was created while considering a development. He did not think 65,000 square feet should be allowed in the NMU zone. He was concerned there would be a negative impact on the schools and traffic in the area.

**Colleen Reeve** (687 Leonard Lane) said she was concerned about the tax increase that would be necessary if the zoning were not approved. She said she studied the current text and felt it was a balanced document. She asked that the draft be unaltered to allow for the quality development. She looked forward to a community gathering place and the ability to spend money within the City.

**Roy Rencher** (931 Wilshire Court) said the text and the City meetings were altered by the influence of the developer. He felt the square footage limits were created for the proposed project. He felt John Montgomery had been driven from the Planning Commission because of his opinions.

**David Safeer** (790 South Hampton Court) said he was in favor of Farmington having a place to mingle, eat, and shop. He felt the NMU text was acceptable if it would bring the development to Farmington. Station Park would be a wide spread regional development. He felt there should also be a place for Farmington residents to shop that would have a neighborhood feel. The Knowlton school children would be safer if the development were approved because there would be stop lights and other safety precautions. He said if the area were developed with multi-family housing, it would add significant student numbers to the school system without providing a tax base.

**Spencer Henderson** (1890 North Kensington) said adopting the 65,000 square foot limit for a large store would discard all of the man hours and funding that had been spent to create the NMU concept since the size would be inappropriate for the NMU zone. It was a dramatic departure from the City's long term Master Plan.

**Don Leonard** (715 West Leonard Lane) said the long process had resulted in a draft that had restrictions and limitations that would not be enforced on other zones. He was accepting of the text, although it was a compromise. He asked that the City Council approve the text without further alterations. He felt it was inappropriate that opposing citizens called UDOT to limit Highway 89 access.

**Paul Hayward** (1663 West 1410 North) said the entire community would be effected. It may be restrictive to require all of the phases to be developed simultaneously, which may not be economically viable. He made the following points as to why the development should be approved:

1. Over commercialization - The current development would not be over commercialized. He did not think a grocery store like Harmon's should be considered a "big box".
2. Public safety: If the City wants to upgrade their fire department, it would require additional sales tax.
3. The cost of services have increased so there is a need for an increased tax base. The future needs to be planned for.

He asked that the City Council not allow power point presentations in the future. He felt all citizens should be allowed to make their points equally.



**Jim Stewart** (1847 Ramsgate Road) said he did not think the 65,000 square foot cap was appropriate since the ordinance was also being written for other neighborhood mixed uses within the City. The project should be approved as an exception.

**David Dixon** (1047 North 100 West) said it was an appropriate ordinance since it was stringent and conditional. The ordinance conservatively complied with the General Plan and was in accordance with the Ross study. He felt this was the least square footage that should be considered for a retail center of this type. The General Plan and Ross study called for developments on the east and west side.

**Marsha Bennett** (870 West Somerset Street) said she was concerned that the text made everything conditional. She spoke with the real estate representative for Coldwater Creek, who said the company was interested in Farmington but they were concerned about the limited access and visibility off of Highway 89.

**Charles Junker** (328 East 200 South) said he was not concerned the NMU would have a negative impact on the school children on Main Street. The property would be large enough to accommodate the proposed development since it was located between two State highways. He felt the City should be more concerned with the development being viable than about the square footage cap. He suggested that each project stand on its own merit.

**Patricia Anderson** (671 Somerset Street) said she attended the Station Park meeting and felt it would serve the City's needs since it would be regional and local. She felt "neighborhood" should be defined as a three mile radius. She felt the North Main restriction needed to be addressed since if the road were widened, Main Street would not be protected.

**Linda Richards** (739 Somerset) said she was frustrated that the City was trying to accommodate a developer rather than the citizens. She felt the development was too large to be a quiet gathering place. She had been told by a police officer that the development would create a bigger police force and salaries due to the increased crime.

**Doug McDonald** (1810 Kensington Street) said there would not be a large economic margin from a food store since Smith's would lose up to 52% of it's sales. For every \$10,000,000 grossed, there would be \$50,000 generated from taxes, which would be a financial benefit, as well as a loss if Smith's were to close.

**Melissa Lewis** (1665 North Somerset Court) said the purpose of the NMU text was to establish limits that would protect the character of the neighborhood. She felt the 65,000 square foot cap was an expansion, not a limit. She felt the square footage caps should be cut in half. The area being considered was inadequate for the concept.

**Harv Jeppsen** (1717 North Main) said the property would be developed either residential or commercial. He did not want the text to be overly restrictive.

**Judy Pierce** (1530 North Main) said that 90% of the Leonard family lived in Farmington near the project. They would not support something that was substandard.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

**Rick Dutson** referred to Page 1, Section 11-20-010(a) of the text, and asked why “limited” had been struck from the text.

**David Petersen** said “limited” had been struck from the text because it was used later in the paragraph.

**Rick Dutson** referred to Page 1, Section 11-20-010 c) of the text, and asked if the term “village-scale” was appropriate.

**Todd Godfrey** said he had reviewed and approved the change.

**Rick Dutson** referred to Page 6, Section 11-20-050 (a) and asked why the Impact Analysis Studies had been altered.

**David Hale** said the alteration was made to give control to the City since the Impact Study would not be needed in every case.

The Impact Studies were discussed and it was agreed that the developer should not have to bear the burden if such studies were not warranted. The NMU could be applied in other areas where there would not be a need for a fiscal impact analysis.

**Sid Young** asked why the paragraph referring to “discreet building pads” had been eliminated from the text.

**David Petersen** said “discreet” had been eliminated from the text to prevent a situation where a developer would divide one pad into two. The wording was not appropriate for the zone so the paragraph was removed.

**Susan Holmes** referred to Page 3, Retail Commercial Uses, and asked why certain uses were not allowed within the cap.

**Mayor Connors** said the Ross Consulting Group's study made a distinction between the certain uses.

**David Petersen** said the term "services" may need to be altered since professional uses such as a dentist office would be considered an office use.

**Sid Young** referred to Page 21, Section 11-20-170. He asked what Chapter 8 was referring to.

**David Petersen** said it was the conditional use chapter of the Zoning Ordinance.

**Sid Young** said it was essential that the zoning ordinance allow developments to be viable. He felt the citizens had been heard and that the text met the City Council's NMU zone intent. The text clearly stated that along Main Street and areas with existing residential development, it was intended to be residential with a buffer, then commercial.

**David Petersen** said the text implied that there would not be commercial use along Main Street but it could also be buffered by open space rather than housing.

**Sid Young** said he felt a 55,000 square foot cap was appropriate since it would meet the needs of the developer and the neighborhood. He felt the maximum square footage allowed in the NMU zone should be 125,000-150,000 square feet.

**David Petersen** said restaurants and offices would be considered non-retail.

**Larry Haugen** referred to Page 3, Paragraph c). He felt the language "professional" should be more specific, such as "professional office".

**David Hale** suggested that the words "or other services" be removed.

**David Petersen** responded to a question by giving the approximate sizes of nearby grocers. He said Bowman's in Kaysville was approximately 45,000 square feet. Smith's in Farmington was approximately 65,000 square feet according to Keith Klundt, who was in attendance at the meeting. K-mart in Farmington was 95,000 square feet. Costco stores were approximately 120,000 square feet. Harmon's in Layton was approximately 65,000 square feet. Steve Meiner of Associated Foods informed the Planning Commission that in order for a grocer to be competitive, they would need their store to be at least 65,000 square feet.

**David Hale** said the City paid for the market study done by Ross Consulting. The study said a lifestyle center near the 89 corridor could range from 150,000-500,000 square feet (300,000 square feet in addition to the current users). He felt the square footage cap should be reduced to 175,000 square feet since it was based on an evaluation of the City.

**Rick Dutson** said he would feel comfortable accepting a large store cap of 55,000 square feet.

**Susan Holmes** said she would accept a large store cap of 55,000 square feet. She would like the overall cap to be based on conditional use so the City could grant approvals on a case by case basis.

**David Hale** suggested that the square footage cap for a major store be 55,000 square feet and the square footage cap for the overall project be 165,000 square feet, which would not include restaurant and special office space.

**David Petersen** referred to Page 7 Section 11-20-060(b)(2). The paragraph would provide “wiggle room” and would make it the developer’s burden to prove that additional square footage was needed.

**Todd Godfrey** suggested that the paragraph include tighter standards so it could not be easily overcome and quickly provided draft language for City Council review.

The City Council conceptually agreed to include the Maximum Aggregate Retail Space language submitted by Mr. Godfrey.

**David Petersen** said tighter wording could be included on the aggregate text but he recommended that it not include restaurant space. There would need to be a generous mix of the different uses.

**Larry Haugen** asked if the NMU text would allow for bars in the area if “drink” was not removed from Page 3, Section 11-20-030(c).

**Mayor Connors** said bars would be limited by a different ordinance.

**Rick Dutson** suggested that the overall cap be approximately 125,000 square feet to protect the neighborhood.

The City Council took a vote on the following square footage caps: Five Council Members voted in favor of the 55,000 square foot cap for a large store. The Council Members conceptually approved the 7,500 square foot cap in subsection 11-20-060(b)(1)a. and conceptually approved the removal of the word “generally”.

The City Council took a vote regarding the overall square footage cap. Two Council members voted in favor of a 165,000 square foot cap. Two Council members voted in favor of a 125,000-150,000 square foot cap. One Council member voted in favor of a 125,000 square foot cap.

**Max Forbush** suggested that the average number be considered for the overall square footage cap or 150,000 square feet.

**Rick Dutson** said that if the overall square footage cap were 165,000 with flexibility, the square footage would increase.

**Mayor Connors** said the City should not rely on an escape clause. The maximum square footage allowed should be set.

**Motion**

**Susan Holmes** moved that the City Council set the overall square footage cap in the NMU zone to 125,000 square feet. The request died for lack of a motion.

**Motion**

**Rick Dutson** moved that the City Council set the overall square footage cap in the NMU zone to 150,000 square feet. **David Hale** seconded the motion, which passed by a 3 to 2 vote.

**Sid Young** requested that the words “and drink” be removed from Page 3, Section 11-20-030(c).

**Mr. Godfrey** said he would draft text, as requested by **Council Member Holmes**, that would require pervious type pavement in the NMU zone.

**Mayor Connors** referred to Page 7 (11-20-060(b)). The text should address the “project area”, not “parcels”.

**Rick Dutson** asked if the text would adequately control the caliber of trees used in the NMU zone.

**David Petersen** said the tree caliber would be controlled by Chapter 7.

**David Hale** moved that the City Council adopt ORDINANCE NO. 2005-, AN ORDINANCE ENACTING CHAPTER 20 OF THE FARMINGTON CITY ZONING ORDINANCE TITLED “NEIGHBORHOOD MIXED USE (NMU) ZONE” to include the changes proposed by the City Council which include:

- The large store square footage cap shall be 55,000 square feet.
- The word “general” shall be deleted from the text.
- III shall be changed to c)
- The word “parcels” shall be changed to read “Planned Center Development”.

- The maximum aggregate square footage shall be 150,000 square feet.
- The text shall be tightened as recommended by the City Attorney.
- An improved impervious design shall be included as recommended by the City Attorney.

**Larry Haugen** seconded the motion, which passed by unanimous vote.

**PUBLIC HEARING: CONSIDERATION OF ORDINANCE TO REZONE A PORTION OF THE GUENTER POPP PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE 200 SOUTH/200 EAST INTERSECTION FROM AGRICULTURE (A) TO MULTI-FAMILY RESIDENTIAL (R-4)/CONSIDERATION OF SCHEMATIC PLAN APPROVAL FOR SUBDIVISION AT SAME LOCATION - TODD BRADFORD (Agenda Item #5)**

**David Petersen** displayed the Vicinity Map and said the front portion of the property was zoned R-4. The applicant was requesting that the rear portion of the property be rezoned to R-4 as well. The developer improved the schematic plan since the last City Council meeting by removing lots from the City's property, providing access from 200 South, and including the restoration of the Steed homes in the plan. The development would include 18 units that were detached and owner occupied on 2.7 acres. He said the Planning Commission recommended that the property be rezoned from A to R-4 and that schematic plan approval be granted subject to the units being owner occupied.

**Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Kent Nickel** (11323 s 675 W, so. Jordan) said he was the developer and builder for the proposed development. He has developed several 55 and older PUDs. This development would be owner occupied with main level living. The units would be fully landscaped. He said ramblers could be considered.

A representative for the Historical Preservation Committee said he was concerned that their input given July 8, 2005, had not been addressed by the developer. The Committee had the following concerns, as outlined in a letter to Mr. Petersen from Alyssa Revell:

- They were not in favor of moving the historical cabin from it's original site.
- The proposed zoning was not appropriate for the existing neighborhood.
- The General Plan states that open space should be preserved to maintain the character of the existing neighborhood.
- The property should be developed with large, residential lots.
- The area is considered to be in a flood zone so the development should be low density housing.

- The City should not donate land to a private developer.
- They would like the cabin to be repaired, but not relocated.
- There was a flag lot located behind the Steed home.

**Al Chamberlain** (150 East 200 South) was concerned for the safety of the residents in the area due to the increased traffic on 200 South. He suggested that the developer include rambler style homes to better accommodate the 55+ market.

The President of the Farmington Station Home Owners Association said they favored the proposed development so long as it met the same high standards as Farmington Station.

**Paul Hayward** (1663 West 1410 North) said the log cabin would have to be declared historic in order to meet the building code requirement. He suggested a historic committee be created to declare buildings historic, such as was done in Gardner Village. He asked how long the cul-de-sac would be.

**David Petersen** said the cul-de-sac would be less than 1,000 feet.

**Sid Young** asked if the historic homes were listed on the Historic registry.

**David Petersen** said neither of the homes had been registered.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

**David Petersen** said a PUD in an R-4 zone would be required to dedicate 10% of the land as open space.

**Max Forbush** said it could be possible for the City to allow less open space in exchange for the historic preservation of the Steed homes.

**Larry Haugen** felt the rock home would lose its historical significance if it were relocated.

**David Petersen** said the old home could not be easily viewed by the general public if it were left in its current location. The proposed plan included a road where the home is situated. The property is located in an RDA area so the increment could be put back into the property if it were submitted to the Tax Entity Committee (TEC) for approval. There is a 20% mandate that the increment has to go to housing so it could be another source of income if the developer left the home where it is. The City Council could grant an R-4 designation with a reverter clause and the developer could work with City Staff to improve the schematic plan.

**Sid Young** asked if the development met the necessary requirements since the development's entrance was close to an intersection.

**David Petersen** said the cut out would be close to 200 East so he would have it reviewed by the traffic engineer.

**Mayor Connors** asked if the R-4 zoning would meet the guidelines of the General Plan.

**David Petersen** said the zoning would be consistent with the General Plan. The creek was diverted and was not the flood way. He suggested that the City work with the developer since said the developer was willing to preserve the structures.

**Max Forbush** said the property right was already established as R-4. He liked the Planning Commission's recommendation of a reverter clause.

### **Motion**

**Sid Young** moved that the City Council table consideration of schematic plan approval for the property located at the southwest corner of the 200 South/200 West intersection to allow the developer to improve the schematic plan. **Rick Dutson** seconded the motion which passed by unanimous vote.

### **Motion**

**David Hale** moved that the City Council adopt ORDINANCE NO. 2005-, AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 200 SOUTH AND 200 EAST FROM A TO R-4. If the applicant does not record a subdivision plat acceptable to the City within 12 months, the zone designation of R-4 shall revert back to A (Agriculture). **Sid Young** seconded the motion which passed by unanimous vote.

### **PUBLIC HEARING: CONSIDERATION OF ORDINANCE AND VACATION ORDER TO ACT UPON PETITION OF JOHN JEPPSON TO AMEND OAKRIDGE FARMS SUBDIVISION BY VACATING LOT 25 FOR THE PURPOSES OF ADDING THE LOT TO PHASE II OF SILVERWOOD SUBDIVISION - FRANK IVORY (Agenda Item #6)**

**David Petersen** displayed the Vicinity Map. Lot 25 had not been built upon. There had not been protest received. The lot was only accessible from the north side but a *No Access Easement* could be placed on the lot.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.



**Paul Hayward** said he was the Chairman of the Oakridge Farms Architectural Committee. Haight Creek runs through the middle of Lot 25 and has a 60' easement. Lots 18, 19, and 25 are not buildable. He did not object to the property being vacated if it were properly maintained and was compatible with the existing subdivision.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

**David Hale** suggested that the lot have a non-access easement on the cul-de-sac.

**Sid Young** referred to the Jeppson letter which referenced "entitlement".

**Mr. Petersen** said the preliminary and final plat would serve as entitlement.

### **Motion**

**David Hale** moved that the City Council adopt ORDINANCE NO. 2005-, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN ORDER VACATING AND AMENDING LOT 25 OF THE OAKRIDGE FARMS SUBDIVISION AND DIRECTING THAT THE SAME BE RECORDED WITH THE DAVIS COUNTY RECORDER'S OFFICE. A non-access easement shall be placed on the Oakridge Farms portion of the plat. **Sid Young** seconded the motion, which passed by unanimous vote.

### **PUBLIC HEARING: CONSIDERATION OF CORNERSTONE SUBDIVISION PLAT AMENDMENT TO ADJUST BOUNDARY LINES OF LOTS WITHIN SUBDIVISION WITHOUT CREATING NEW LOTS - HARLEY EVANS (Agenda Item #7)**

**David Petersen** said a right of way had been vacated by the City Council. The applicant requested that the boundary lines of four lots within the subdivision be adjusted. The ordinance would need to be amended to include Lot 16 since it had not yet been sold. City Staff recommended approving the plat amendment.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

### **Public Hearing Closed**

With no forthcoming comments, **Mayor Connors** closed the public hearing.

**Motion**

**Rick Dutson** moved that the City Council adopt ORDINANCE NO. 2005 - , AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN ORDER VACATING AND AMENDING LOTS 13, 14, AND 16 OF THE CORNERSTONE SUBDIVISION AND DIRECTING THAT THE SAME BE RECORDED WITH THE DAVIS COUNTY RECORDER'S OFFICE. **Larry Haugen** seconded the motion which passed by unanimous vote.

**CONSIDERATION OF FINAL PLAT APPROVAL FOR PHASE II OF MILLER MEADOWS - RANDY RIGBY (Agenda Item #8)**

**David Petersen** displayed the Preliminary Plat. Phase 1 was platted and homes were being constructed. The Planning Commission recommended final plat approval for Phase 2 but it was delayed due to the need for off-site detention basins. City Staff recommended granting final plat approval.

**Motion**

**Susan Holmes** moved that the City Council approve the final plat for Phase II of Miller Meadows Subdivision located at approximately 625 South 650 West subject to all applicable Farmington City development standards and ordinances and the following:

1. Review and approval of the final plat and improvement drawings, including a grading and drainage plan and a Storm Water Pollution Prevention Plan containing all the information and meeting all the requirements of the Utah Department of Environmental Quality Water Quality Division for a National Pollution Discharge Elimination System (NPDES) permit and that complies with the Farmington City Storm Water Management Plan, by the City Engineer, Farmington Storm Water Official, Public Works Department, Fire Department, Central Davis Sewer District and Weber Basin Conservancy District. The Developer shall obtain an NPDES permit from the state.
2. All requirements of preliminary plat approval as described in the letter dated November 15, 2004, that apply to this phase of the Miller Meadows Subdivision shall be met.
3. All corrections, additions or clarifications on the Construction Drawing Review dated August 22, 2005 and Final Plat Review dated August 21, 2005 shall be addressed, as well as any submitted by the City Engineer, Public Works Department, Fire Department, Central Davis Sewer District, or Weber Basin Conservancy District.

4. The final plat shall reflect correct setback requirements for a Conservation Subdivision.
5. Lot 220 shall be developed as a Conservancy Lot and be labeled as such on the final plat.
6. The final agreements and acquisition of land and/or easements by the City for the off-site retention pond to handle storm water shall be completed prior to recordation of the final plat and before construction begins. This retention area will be shown on a vicinity map on the final plat. to conditions placed by the Planning Commission .

**Rick Dutson** seconded the motion which passed by unanimous vote.

**CONSIDERATION OF RESOLUTION EXTENDING CHERRY BLOSSOM DRIVE BEYOND A 1,000 FOOT LIMIT FOR NON-CONFORMING DEAD-END STREETS (RELATED TO PROPOSED PHASE II OF HIDDEN MEADOWS SUBDIVISION - CHRIS MARTINEAU (Agenda Item #9)**

**David Petersen** said the City Council had granted schematic plan approval for Phase II of the Hidden Meadows Subdivision at their last meeting. Cherry Blossom Drive starts on 1400 North and curves to end on Welling Way. Both streets are non-conforming, dead end streets. It would be possible to grant the extensions without a second access but it would have to be done by resolution. The developer planned to put a hard surface over the sewer line, which was approved by the Fire Department and the Public Works Department. Due to the steep embankment, which could only be single loaded, the developer asked that the extension of Cherry Blossom Drive be approved. City Staff recommended that the City Council approve the Resolution.

**Motion**

**Susan Holmes** moved that the City Council approve RESOLUTION NO. - , A RESOLUTION APPROVING THE EXTENSION OF CHERRY BLOSSOM DRIVE INTO THE PROPOSED HIDDEN MEADOW PHASE 2 SUBDIVISION LOCATED IN FARMINGTON CITY, UTAH. **Sid Young** seconded the motion which passed by unanimous vote.

**REQUEST TO TRADE 7.5 ACRE PARCEL OF LAND ADJACENT TO DANVILLE LAND INVESTMENT (WOODSIDE HOMES)/EASEMENT ISSUES - NATE PUGSLEY/THANE SMITH (Agenda Item #10)**

**Max Forbush** referred to a letter addressed to Mayor Connors from Thane Smith of Woodside Homes which stated:

*“We would like to define an easement where the line will be constructed; however when the water line is realigned, the easement will need to change. Therefore, we request that the City allow us to install the line through a portion of the City property as well as through our property without an easement until such time as either the land is developed or sold. Then we will define a permanent easement for the permanent location of the line.*

**Max Forbush** said that the City Attorney had recommended that an agreement be drafted if the City Council were to pursue the water line loop. Mr. Forbush planned to meet with the City Attorney and Thane Smith to finalize the details. He suggested that the City Council authorize City Staff to seek an appraisal of the 7.5 acre parcel.

### **Motion**

**David Hale** moved that the City Council authorize the City Manager to secure the appraisal for 7.5 acres of land adjacent to Danville Lane Investment. **Susan Holmes** seconded the motion, which passed by unanimous vote.

### **SPECIAL TRUCK ROUTE PERMIT APPLICATION - CRAYTHORNE, INC. (Agenda Item #11)**

**Max Forbush** said an application was submitted by Tim Yarborough of Craythorne, Inc. City Staff reviewed the application and recommended that the permit be approved. Mr. Yarborough met all of the application requirements and would use accesses that were already allowed for truck lots, excluding Shepard Lane and the Frontage Road.

### **Motion**

**Susan Holmes** moved that the City Council approve the Special Truck Route application subject to the Conditions for Issuance of Special Truck Route Permit #2005-04 for Craythorne, Inc. **Larry Haugen** seconded the motion, which passed by unanimous vote.

### **GLENNA ROSS REQUEST TO DONATE PARK BENCHES (Agenda Item #12)**

**Max Forbush** said he received a letter from Glenna Ross who requested that she be allowed to fulfill one of her brother's last wishes to arrange for a memorial for his parents, C. John and Thora Wallace by donating park benches with engraved plaques to the Farmington City Cemetery. Mr. Forbush said he would be involved with the approval process to insure the donation was acceptable to the City.

### **Motion**

**Sid Young** moved that the City Council approve the proposal of Glenna Ross to install park benches in the Farmington City Cemetery. **Rick Dutson** seconded the motion, which passed by unanimous vote.

**MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #13)**

**Larry Haugen** moved that the City Council approve the following items by consent as follows:

- 13-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
- 13-2. Approval of planning consultant services agreement with Civitas.
- 13-3. Approval of Sidewalk Replacement Agreement with Rod Bybee.
- 13-4. Approval of Weber Basin Subdivision Takeover Agreement.
- 13-5. Authorization for Mayor Connors to Award CDBG Project Bid. Time is of the essence to complete this project. Staff would like to have the bid awarded soon after the bids are opened so that action can be taken to get the project started immediately in an attempt to have the work completed by winter. The City Manager would then follow up with the bid summary sheet at future Council meeting.
- 13-6. Approval of the Fiber Optic Conduit Agreement with Davis County.
- 13-7. Authorize City Manager to Schedule Tree Trimming on South Main Street.

**David Hale** seconded the motion, which passed by unanimous vote.

**DEVELOPMENT AGREEMENT BETWEEN FARMINGTON CITY AND JEFF SMITH (Agenda Item #14)**

**Max Forbush** recommended that the agreement between Farmington City and Jeff Smith be bound by a written agreement.

**Jeff Smith** said the agreement was nearly completed.

**Max Forbush** said the City Staff recommended that the City Council authorize the Mayor to sign a document that would state that the land conveyance would be subject to development approval. He said the area to the south should not be included since the Packs were not willing to pay for the road improvements.

**Motion**

**Susan Holmes** moved that the City Council approve the Mayor to sign the Agreement between Farmington City and Jeff W. Smith. The Agreement shall take effect when Mr. Smith receives entitlement. **Sid Young** seconded the motion, which passed by unanimous vote.

**LUDMA POLICY CONSIDERATION AS THEY RELATE TO CITY PUBLIC HEARINGS AND NOTICES (Agenda Item #15)**

The City Council agreed to place the item on a future City Council Agenda.

**“DRAFT” TRANSPORTATION MASTER PLAN/ “DRAFT” ASSOCIATED IMPACT FEE/ CAPITAL FACILITY PLAN/ TIMING OF REVIEW PROCESS AND HOLDING OF PUBLIC HEARINGS - (Agenda Item #16)**

**Max Forbush** provided the Council members copies of the Master Transportation Plan and the Impact Fee Capital Facility Plan. He recommended that each member of the Governing Body review them preparatory for the discussion meeting to be held as per the review schedule.

**CONSIDERATION OF AMENDING FEE STRUCTURE FOR SALE OF CEMETERY LOTS TO NON-RESIDENTS (Agenda Item #17)**

**Max Forbush** referred to the letter which was submitted by Bob and Deanie Stott. The Stotts requested that they be allowed to purchase cemetery plots at the Farmington resident rate since they had been dedicated Farmington residents for 28 years. The City Council needed to consider whether to change the fee structure for sale of cemetery lots to non-residents. He asked that the Council members consider the following:

- Should the City Council relax the existing fee structure for non-residents allowing property owners to purchase a lot at the residential price who have owned property in excess of 20 years, and who have recently sold their property within five years of the request for purchasing a lot?
- Does the City Council want to consider reevaluating the price for the sale of burial lots given the fact that there is a short supply of the same?
- Should the City Council, in fact, restrict the sale of burial lots to residents only?

The City Council members requested that City Staff submit a proposal.

**UTAH LEAGUE OF CITIES AND TOWNS - DESIGNATION OF VOTING DELEGATES (Agenda Item #18)**

The City Council agreed that **Rick Dutson, David Hale, Susan Holmes, Sid Young, and Mayor Connors** would represent the City at the business meeting of the League of Cities and Towns Convention.

**PROPOSED FUEL BREAK ISSUES AND PLANNING CONSIDERATIONS (Agenda Item #19)**

**Max Forbush** said the County's contribution to the fuel break road was their public works crew. Construction could begin as early as October. The City would need to attempt to annex certain property. He asked the City Council which designated trail they desired for the fuel break road from Farmington Canyon to Farmington/Centerville boundary. He recommended that travel be restricted from the two trail heads by multi-purpose use ATV's and vehicles, but not for the companies that use it. He reviewed the following recommendation:

Designate the uses along the fuel break road from Farmington Canyon to Centerville City as follows:

- a. No vehicular, but multi-use trail including OHV from trailhead at Farmington Canyon (south side) to trailhead at Steed Canyon (north side). These trailheads should be located on Forest Service property, if possible.
- b. Allow property owned by Mike Nebeker and formerly owned by Doug Allen to develop near FAPID reservoir as single loaded cul-de-sac (road part of fuel break area). Develop trailhead when this develops. Install interim trailhead at FAPID reservoir.
- c. No vehicular / no OHV (only pedestrians/horses) from new alignment of fuel break road south of Davis Creek to Centerville boundary.

The rules would be clear to the riders, as well as to the Police Department. The City would attempt to receive the funds rather than the Forest Service.

He referred to the Memorandum of Understanding among Weber Basin Water Conservancy District, Davis County, Farmington City, and Centerville City. He reviewed the following items from the agreement:

1. The District will continue to be responsible to provide operation and maintenance of the Weber Basin Aqueduct access road. In the event representatives of the Cities deem it necessary that additional maintenance to the access road be provided, to facilitate emergency vehicles, the Cities have the right to grade, repair and maintain the access road as they deem necessary, at the expense of the Cities.

**Mr. Forbush** suggested that it be stated that Weber Basin would grade the road once each year.

**Sid Young** asked why the OHV would not be allowed in the northern area.

**Max Forbush** said the policy would be in compliance with Centerville City. The road was not registered by the Forest Service.

The City Council agreed that City Staff should request that Weber Basin grade the road one time each year.

### **MISCELLANEOUS**

**Max Forbush** referred to the letter that was submitted by Matthew Hess which requested that the City Council rescind their moratorium since the development would consist of single family homes.

**Susan Holmes** said the developer would need to request a residential zoning change and meet the open space requirements.

**David Hale** suggested that request be denied until the Council decided how the area should be developed.

**Mayor Connors** said the moratorium was placed to allow the City Council to further consider the residential nature of the CMU area.

**Max Forbush** informed the Council members that an open house would be held on September 17, 2005, at 7:30 P.M. to celebrate the completion of the Community Center basement.

### **ADJOURNMENT**

**Rick Dutson** moved that the meeting adjourn at 11:50 P.M.

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Margy Lomax, City Recorder  
Farmington City